

CERTIFICATION OF VOTES

Special Town Meeting

August 22, 2011

Date of Town Meeting: August 22, 2011

Voters in Attendance: Prec. A: 17 Prec. B: 21 Prec. C: 30 Total: 78

Article 1: The Town voted unanimously to amend its Zoning Bylaw by adding the following new section:

6.10.4 Emergency Use of Trailer on a site other than that on which the disaster occurred: If the owner or occupier of a residence which has been destroyed by fire or natural disaster does not have the land area required to reasonably place replacement temporary housing completely on the existing lot (site of disaster), and complete repairs to the former residence, a limited special permit may be granted by the Special Permit Granting Authority (SPGA), which for the purpose of this bylaw, is the Monson Planning Board. The criteria to be considered in determining whether to grant a limited special permit pursuant to this bylaw shall be:

- (a) Written agreement of the land owner of the site where the trailer will be located which is not the site of the disaster consenting to the location of the trailer.
- (b) Sufficient space on the property for residents of permanent home and residents of temporary trailer home to park off the public way.
- (c) The ability to maintain safe traffic patterns on the street.
- (d) A ten (10) foot setback shall be maintained from the side and rear property lines.
- (e) The front setback shall be adequate to allow safe line of sight for the roadway, pedestrians, and driveway egress, as well as space to allow snow removal and road maintenance.
- (f) The temporary housing shall be subject to the provisions of the State Sanitary Code.
- (g) This temporary emergency housing shall be removed within one (1) year of delivery. In the event of another natural disaster within one (1) year period grantee of such limited special permit may request, in writing to the Planning Board, that limited special permit be extended for an additional three (3) month period. If the Planning Board receives such request, in writing, the Planning Board may grant a three (3) month extension after a public hearing, to be advertised in accordance with Massachusetts General Laws.
- (h) No more than one (1) temporary housing unit shall be permitted on a lot.
- (i) A site plan shall be provided showing the location of the existing buildings on the lot and the proposed location of the temporary trailer. If a site plan is not available a copy of the Monson Assessors plot plan with all existing buildings accurately depicted on the plan and the location of the proposed temporary trailer located on the plan shall be acceptable.
- (j) The trailer must meet all other building, wetlands and zoning requirements regarding height, separation of buildings and maximum lot coverage.

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Article 2: The Town voted unanimously to amend its Zoning Bylaws by adding the following new section:

6.10.5 Waivers

1. The SPGA may waive strict compliance with any requirement of this by-law or the rules and regulations promulgated hereunder, where:
 - (a) Such action is allowed by federal, state and local statutes and/or regulations
 - (b) Is in the public interest, and
 - (c) Is not inconsistent with the purpose and intent of this by-law.
2. Any applicant may submit a written request to be granted such waiver. Such a request shall be accompanied by an explanation or documentation supporting the waiver request and demonstrating that strict application of the by-law would undermine the purposes, objectives and intent of this by-law.
3. All waiver requests shall be discussed and voted on by the SPGA at the public hearing within which the request for a waiver is being heard.
4. If in the SPGA's opinion, additional time or information is required for review of a waiver request, the SPGA may continue the hearing to a date certain announced at the meeting. In the event the applicant objects to a continuation, or fails to provide requested information, the waiver request shall be denied.

I, hereby certify that the Special Town Meeting was duly called according to the Bylaws and the Warrant was properly posted. The meeting was convened at 7:02 pm and after completion of the articles, the meeting was dissolved at 7:16 pm.

A true copy, ATTEST

Nancy C. Morrell
Monson Town Clerk